

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

THEODORE WILLIAMS, <i>et al.</i> ,)	
)	Case No. 1:16-cv-00266-KS-MTP
Plaintiffs,)	
)	Hon. Keith Starrett
v.)	District Judge
)	
GARY HARGROVE, <i>et al.</i> ,)	Hon. Michael T. Parker
)	Magistrate Judge
Defendants.)	
)	JURY TRIAL DEMANDED

**PLAINTIFFS' RESPONSE IN OPPOSITION
TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

NOW COME Plaintiffs THEODORE WILLIAMS, *et al.*, by their undersigned attorneys, and respectfully submit this Response in Opposition to Defendants Motion for Summary Judgment, Doc. Nos. 142 & 144, stating as follows:

1. On October 16, 2017, Defendants Harrison County, the Harrison County Board of Supervisors, and Coroner Gary Hargrove filed a motion for summary judgment and supporting memorandum. Doc. Nos. 142 & 144. On the same day, these Defendants filed a motion to exclude Plaintiffs' experts Dr. Richard T. Campbell and John Gale and supporting memorandum. Doc. Nos. 141 & 143. This Court granted Plaintiffs an extension to today's date to respond.

2. For the reasons set forth in the accompanying Memorandum Brief In Support of Plaintiffs' Response In Opposition to Defendants' Motion for Summary Judgment, Plaintiffs respectfully request that the Court deny Defendants' motion for summary judgment.

3. In support of their position, Plaintiffs incorporate all arguments presented in the attached Memorandum and in Plaintiff's response to Defendants' motion to exclude Plaintiffs' expert witnesses.

4. In addition, Plaintiffs submit the following exhibits in support of their response:

No.	Description
1	Plaintiffs' Responses to Harrison County's Interrogatories
2	Deposition of Eddie Hartwell (excerpts)
3	Deposition of Theodore Williams (excerpts)
4	Deposition of Ricky August (excerpts)
5	Deposition of Anthony Marshall (excerpts)
6	Funeral Home Licenses
7	Declaration of Sonya Williams Barnes
8	Deposition of Lasha August (excerpts)
9	Deposition of Gina Marshall (excerpts)
10	Deposition of Helen Evans (excerpts)
11	Deposition of Coroner Gary Hargrove
12	Deposition of Brian Switzer (excerpts)
13	Deposition of Charles Wise (excerpts)
14	Coroner Hargrove's Responses to Plaintiffs' First Interrogatories
15	County Responses to Plaintiffs' First Interrogatories
16	Plaintiffs' Supplemental Responses to Harrison County's Interrogatories
17	Roster of Board Members
18	Overview of State Funeral Home Death Statistics
19	State Funeral Home Death Statistics 2007
20	State Funeral Home Death Statistics 2008
21	State Funeral Home Death Statistics 2009
22	State Funeral Home Death Statistics 2010
23	State Funeral Home Death Statistics 2011
24	State Funeral Home Death Statistics 2012
25	State Funeral Home Death Statistics 2013
26	State Funeral Home Death Statistics 2014
27	State Funeral Home Death Statistics 2015

No.	Description
28	State Funeral Home Death Statistics 2016 (First Six Months)
29	Example Death Investigation Form with Confidential Information Redacted
30	Coroner File Dataset
31	Declaration of Dr. Campbell
32	Exhibit A to Declaration of Dr. Campbell – Report
33	Exhibit B to Declaration of Dr. Campbell – Supplemental Report
34	Exhibit C to Declaration of Dr. Campbell – Rebuttal Report
35	Exhibit D to Declaration of Dr. Campbell – Dr. Campbell CV
36	Exhibit E to Declaration of Dr. Campbell – Index of Coroner Files
37	Declaration of John Gale, Ph.D.
38	Exhibit A to Declaration of John Gale, Ph.D. – Report
39	Exhibit B to Declaration of John Gale, Ph.D. – Supplemental Report
40	Exhibit C to Declaration of John Gale, Ph.D. – John Gale CV
41	Deposition of President Connie Rockco (excerpts)
42	Deposition of John Johnson (excerpts)
43	Deposition of Dr. Palmer (excerpts)
44	Deposition of Joy Yates (excerpts)
45	Coroner File Dataset, Subset of Files With No Indication of Family/Decedent Choice
46	Coroner File Dataset, Subset of Files from Hospitals, Nursing Homes, Hospice, Sole Evidence of Coroner Selection
47	Declaration of Anne Gottschalk
48	Coroner Responses to Plaintiffs’ Second Interrogatories
49	County Responses to Plaintiffs’ Second Interrogatories
50	Deposition of Beth Seymour
51	County Payment Records

5. For all of these reasons, Plaintiffs respectfully request that the Court deny Defendants’ motion for summary judgment.

DATE: November 13, 2017

RESPECTFULLY SUBMITTED,

THEODORE WILLIAMS, *et al.*

By: /s/ Steven Art
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Steven Art, an attorney, hereby certify that on November 13, 2017, I filed the foregoing **PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT** using the Court's CM/ECF system, which effected service on all counsel of record.

By: /s/ Steven Art
One of Plaintiff's Attorneys